

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

TUESDAY, THE 8TH DAY OF SEPTEMBER 2015/17TH BHADRA, 1937

Bail Appl..No. 4962 of 2015 ()

CRIME NO. 556/2009 OF KARAMANA POLICE STATION , THIRUVANANDAPURAM

PETITIONER(S)/ACCUSED:

**MURALEEDHARAN AGED 41 YEARS
S/O. LEKSHMANAN, VLANVILAKATHU PUTHEN VEEDU
NEAR MELARANOOR NGO QUARTERS, ARANOO WARD
THYCAUD VILLAGE, THIRUVANANTHAPURAM.**

**BY ADVS.SRI.U.S.GANESH KUMAR
SRI.A.CHANDRA BABU**

RESPONDENT(S)/STATE:

**STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM - 682 031.**

R BY PUBLIC PROSECUTOR SMT.M.MADHBAN

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08-09-2015,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

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BABU MATHEW P. JOSEPH, J.

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B.A. No. 4962 of 2015

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Dated this the 8th day of September, 2015

ORDER

This petition is filed under Section 439 of Cr.P.C. for regular bail.

2. Heard the learned counsel appearing for the petitioner and the learned Public Prosecutor appearing for the respondent.

3. The petitioner is the accused in Crime No.556 of 2009 of Karamana Police Station. The offences alleged are under Sections 372 and 376 of the Indian Penal Code and under Sections 3, 4 and 5 of the Immoral Traffic (Prevention) Act. The petitioner was enlarged on bail during the investigation. After completing the investigation, the investigating agency has filed the Final Report before the Magistrate's Court and, in turn, the learned Magistrate committed the case to the Court of Session. During the pendency of the case in the Court of Session, the petitioner absconded. Therefore, the Court

below issued warrant against the petitioner and he was arrested in December, 2013. Since then, the petitioner has been under incarceration. His bail application filed before the court below has been dismissed.

4. Learned counsel for the petitioner submits that the petitioner did not remain away from the court intentionally. It was only due to a mistake that he could not appear before the court. If he is released on bail, he will promptly appear before the court on all days during the trial. Therefore, the learned counsel prays for releasing the petitioner on bail. The petitioner has been under incarceration since December, 2013. On considering the facts and circumstances, this Court is of the view that the petitioner can be granted bail subject to the following condition:

The petitioner shall be released on bail on his executing a bond for Rs. 25,000/- (Rupees twentyfive thousand only) with two solvent sureties each for the like sum to the satisfaction of the Trial Court.

This petition is allowed as above.

**Sd/-
BABU MATHEW P. JOSEPH
JUDGE**

//TRUE COPY//

PA TO JUDGE

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